

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WILLIAM DARYL STUTE, et al,

Plaintiffs,

v.

CITY OF WESTPORT, et al,

Defendants.

Case No. C06-5453RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's "Writ of Clarification" [Dkt. #69].

Having considered the entirety of the records and file herein, and having considered that plaintiffs' "Writ of Clarification" is in essence a Motion for Reconsideration, the Court rules as follows:

Under this Court's Local Rules, motions for reconsideration are disfavored and will ordinarily be denied absent a showing of manifest error, or a new factual or legal basis which could not have been raised earlier. Local Rule CR 7(h), Local Rules W.D. Wash. Here, plaintiffs object to the Court's granting summary judgment on behalf of the defendants. Apparently, plaintiffs are confused as to the basis for the Court's ruling, complaining that their case was filed in "common law" and "constitutional law" and not "statute law." Notwithstanding plaintiffs' protestations, this Court properly granted defendants' summary judgment motions because this case is barred by the statute of limitations and the doctrine of *res judicata*. It is therefore

**ORDERED** that plaintiffs' "Writ of Clarification" [Dkt. #69] is **DENIED**.

1 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing  
2 pro se.

3 Dated this 27<sup>th</sup> day of November, 2006.

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5 RONALD B. LEIGHTON  
6 UNITED STATES DISTRICT JUDGE  
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